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File No. 60076.00001

September 12, 2013

VIA REGULAR U.S. MAIL

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Highway, Room 402
San Diego, CA 92101

Re: Helix Water District – Amendment of Conflict of Interest
Code and Request for Notice

Dear Teresa:

Enclosed for review and approval by the Board of Supervisors is the amended Appendix of the Conflict of Interest Code of the North County Transit District. The Appendix was amended by the District's Board of Directors on September 4, 2013, by Resolution No. 13-55, a copy of which is also enclosed. As you can see by the enclosed legislative version of the Code, this amendment was done to include new positions that must be designated, delete a position that has been abolished, and revise the title of an existing position. Also enclosed is a clean copy of the Code, as amended, for your records.

Please notify me as to when this matter will be submitted to the Board for approval. I would also appreciate a copy of the Resolution or Minute Order approving the District's amended Appendix. Should you or County Counsel have any questions regarding the enclosed or this matter, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in black ink that reads 'Krysten Steele' in a cursive script.

Krysten Steele, Paralegal
for BEST BEST & KRIEGER LLP
General Counsel
Helix Water District

RESOLUTION NO. 13-55

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE HELIX WATER DISTRICT ADOPTING AN AMENDED
CONFLICT OF INTEREST CODE PURSUANT TO
THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees, and consultants of the Helix Water District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on August 1, 2012, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided to each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on September 4, 2013, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Helix Water District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Assistant Board Secretary and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Code as submitted.

BE IT FURTHER RESOLVED that all previous Conflict of Interest Codes of the Helix Water District shall be rescinded upon the effective date of said amended Code as approved by the Board of Supervisors.

PASSED, ADOPTED, AND APPROVED this 4th day of September, 2013, by the following vote:

Ayes: Directors Muse, Verbeke, Linden, Hedberg, and Scalzitti

Noes: None

Absent: None

Attest:

Loeri S. Amrith
Secretary



Charles W. Gann
President

CONFLICT OF INTEREST CODE
OF THE
HELIX WATER DISTRICT

CONFLICT OF INTEREST CODE OF THE HELIX WATER DISTRICT

(Amended September 4, 2013)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730, and any amendments to it, duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Helix Water District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Assistant Board Secretary** as the District's Filing Officer. The **Assistant Board Secretary** shall make and retain a copy of all statements filed by Members of the Board of Directors and the General Manager, and forward the originals of such statements to the Clerk of the Board of Supervisors. The **Assistant Board Secretary** shall retain the originals of the statements of all other officials and designated positions. The **Assistant Board Secretary** will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: 3/11/14	Minute Order No. 18
By: [Signature]	Date: 3/14/14
Deputy Clerk of the Board Supervisors	

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

HELIX WATER DISTRICT

(Amended September 4, 2013)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code § 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Directors
General Manager
Treasurer/Director of Administrative Services
Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Associate Engineer	2, 3, 5
Biologist	5
Board Secretary	5
Cathodic Protection Technician	5
Civil Engineer	2, 3, 5
Construction Services Coordinator	3, 5
Construction Supervisor	2, 5
Corrosion Specialist	5
Customer Service Manager	5
Director of Engineering/Chief Engineer	2, 3, 5
Director of Operations	5
Director of Water Quality and System Operations	2, 5
Engineering Manager	1, 2
Equipment Maintenance Coordinator	5
Facilities Manager	5
Facilities Supervisor	5
Facility Maintenance Technician	5
Field Operations Manager	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Field Supervisor	5
Finance Manager/Deputy Treasurer	1, 2
General Counsel	1, 2
GIS Programmer/Analyst	5
Human Resources Manager	5
Information and Process Systems Supervisor	5
Information Services Manager	5
Inspector (ALL)	3, 5
Network Administrator	5
Network Support Specialist	5
Operations and Construction Manager	2, 3, 5
Plant Operations Supervisor	5
Reservoir Recreation Ranger	5
Safety/Risk Administrator	5
Senior Chemist	5
Senior Human Resources Analyst	5
Senior Instrumentation/Electrical Technician	3, 5
Senior Right-of-Way Agent/Environmental Analyst	2, 3, 5
Senior Systems Administrator	5
System Operations Manager	2, 5
System Operations Supervisor	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Warehouse Assistant	4
Warehouse & Materials Coordinator	4
Water Conservation Specialist	5
Water Treatment Plant Manager	5
Consultant and New Positions ²	

²

Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position must file under the broadest disclosure category set forth in this Code subject to the following limitation:

The General Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document (Gov. Code §82019; Regs 18219 and 18734). The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code Gov. Code §81008).

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

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CONFLICT OF INTEREST CODE
OF THE
HELIX WATER DISTRICT

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CONFLICT OF INTEREST CODE OF THE HELIX WATER DISTRICT

(Amended ~~August 1, 2012~~ September 4, 2013)

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OF THE

HELIX WATER DISTRICT

(Amended ~~August 1, 2012~~ September 4, 2013)

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DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

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Associate Engineer	2, 3, 5
Biologist	5
Board Secretary	5
Cathodic Protection Technician	5
Civil Engineer	2, 3, 5
<u>Construction Services Coordinator</u>	<u>3, 5</u>
<u>Construction Supervisor</u>	<u>2, 5</u>
Corrosion Specialist	5
Customer Service Manager	5
Director of Engineering/Chief Engineer	2, 3, 5
<u>Director of Field Operations and Distribution Operations</u>	5
Director of Water Quality and System Operations	2, 5
Engineering Manager	1, 2
Equipment Maintenance Coordinator	5
<u>Facilities Manager</u>	<u>5</u>
<u>Facilities Supervisor</u>	<u>5</u>
Facility Maintenance Technician	5
<u>Field Operations and Distribution Manager</u>	<u>5</u>

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<u>DESIGNATED EMPLOYEES POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Field Operations Manager	2, 5
Field Supervisor	5
Finance Manager/Deputy Treasurer	1, 2
General Counsel	1, 2
GIS Programmer/Analyst	5
Human Resources Manager	5
Information and Process Systems Supervisor	5
Information Services Manager	5
Inspector (ALL)	3, 5
Network Administrator	5
Network Support Specialist	5
Operations and Construction Manager	2, 3, 5
Plant Operations Supervisor	5
Reservoir Recreation Ranger	5
Safety/Risk Administrator	5
Senior Chemist	5
Senior Human Resources Analyst	5
Senior Instrumentation/Electrical Technician	3, 5
Senior Right-of-Way Agent/Environmental Analyst	2, 3, 5
Senior Systems Administrator	5

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DESIGNATED EMPLOYEES POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

System Operations Manager	2, 5
System Operations Supervisor	5
Warehouse Assistant	4
Warehouse & Materials Coordinator	4
Water Conservation Specialist	5
Water Treatment Plant Manager	5

Consultant and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position must file under the broadest disclosure category set forth in this Code subject to the following limitation:

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Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

³

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